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**FISCAL IMPACT STATEMENT**

**LS 7532**

**BILL NUMBER:** HB 1346

**NOTE PREPARED:** May 1, 2009

**BILL AMENDED:** Apr 29, 2009

**SUBJECT:** Various Election Matters.

**FIRST AUTHOR:** Rep. Pearson

**FIRST SPONSOR:** Sen. Wyss

**BILL STATUS:** Enrolled

**FUNDS AFFECTED:** ☒ **GENERAL**  
☒ **DEDICATED**  
**FEDERAL**

**IMPACT:** State & Local

**Summary of Legislation:** *Absentee Ballots*- The bill provides that a member of the military or public safety officer may vote an absentee ballot by mail.

*Return to Vote after Emergency*- The bill provides that a member of the military or public safety officer who has signed the poll list and is called from the polls before voting to respond to an emergency in the voter's capacity as a member of the military or public safety officer is entitled to return to the polls and vote upon execution of an affidavit.

*Conference Reimbursement*- The bill restates county reimbursement procedures for attending the annual election administrators' conference.

*Online Voter Registration*- The bill permits, after June 30, 2010, an individual who possesses a current and valid Indiana driver's license or identification card to submit a voter registration application or update information in the individual's existing voter registration record online by use of a secure Internet web site. The bill establishes procedures for the Bureau of Motor Vehicles and a county voter registration office to process an application or information submitted to the web site. The bill provides that an eligible applicant who submits a complete application online not later than midnight on the twenty-ninth day before an election shall be registered to vote in the election.

*Overseas Voters*- The bill allows an overseas voter to transmit an absentee ballot application by electronic mail. The bill requires the office of the circuit court clerk (or the office of the board of elections and registration) to provide an automatic electronic mail receipt acknowledging receipt of the voter's application.

*Voting System Technical Oversight-* The bill requires fees collected for application for certification of a voting system and money received in accordance with a settlement agreement relating to a voting system be deposited in the voting system technical oversight program account (VSTOPA). The bill provides that the account is nonreverting.

*Use of Existing Optical Scan Systems.-* The bill provides that a county may continue to use an optical scan ballot card voting system or an electronic voting system whose approval or certification expired on or before October 1, 2009, if the voting system meets certain requirements. The bill provides that the Indiana Election Commission may approve a voting system for use in Indiana if the voting system meets the Voluntary Voting System Guidelines adopted by the United States Election Assistance Commission on December 13, 2005.

**Effective Date:** Upon passage; July 1, 2009.

**Explanation of State Expenditures:** *Online Voter Registration-* Secretary of State (SOS)- The estimated cost for a secure Internet web site is currently indeterminable, and ultimately would depend on the contract arranged between the SOS and a vendor to provide the web site. Cost could perhaps be reduced if the SOS were able to place voter registry access within their current web site.

Bureau of Motor Vehicles (BMV)- The BMV would require additional administrative time to process and compare voter registry information from the SOS's web site with the BMV database.

The bill does not make an appropriation, therefore, the SOS and BMV would have to carry out their components within their existing level of resources.

*Return to Vote after Emergency-* The Election Commission would be able to prescribe an affidavit form within the course of a regular business meeting. If completely accessible electronically, the Election Division would have minimal, if any, expenditures from printing the affidavit form.

**Explanation of State Revenues:** *Voting System Technical Oversight-* The VSTOPA would receive revenues from certification fees for voting systems (currently \$1,500 per certification) and contributions from a settlement agreement executed with a voting system vendor. The bill would make the VSTOPA nonreverting to the General Fund. Under current law, only civil penalties from voting system violations are deposited into the VSTOPA. As of June 30, 2007, \$245,000 in revenue had been deposited in the VSTOPA. No further revenues have been deposited into VSTOPA since June 30, 2007.

**Explanation of Local Expenditures:** *Absentee Ballots-* Counties may require extra absentee ballots available as a result of this provision. The impact would depend on the number of qualified voters that apply for an absentee ballot and vote by mail.

*Online Voter Registration-* County Voter Registration Office (CVRO)- It is likely, CVROs would be able to process online voting applications within their current level of resources. Once residency has been established by the BMV via a valid driver's license or identification card, the BMV would forward the voter applicant information to the appropriate CVRO via the computerized statewide voter registration list. The CVRO would process the information of the voter applicant as allowed under current election law.

*Conference Reimbursement-* All expenses allowed for newly elected or appointed clerks or county election board office holders to attend the Election Division instructional conference would be paid from the county general fund. Under current law, only the registration fee is to be paid from the county general fund. The

other allowances under current law are a \$24 per diem, mileage, and lodging equal to state rates.

*Return to Vote after Emergency-* Precinct election board clerks may require additional administrative time to fill out affidavits for public safety personnel returning from an emergency to vote.

*Background Information-* First Responders- The following table provides estimates on the number of certain Indiana first responder occupations that would be affected by the bill.

<b>First-Responder Occupation (IC 10-14-2-5)</b>	<b>Estimated Employment 2007</b>
Firefighters/Emergency Medical Service Providers	6,050
Police Officers (Local)	10,760
Police Officers (State)	1,266
Excise Police	470
Conservation Officers	180
Probation Officers	1,830
Correctional Officers	8,460
Paramedics/EMTs	5,090
State or Local Emergency Management Agency	230
Military (including reserves and national guard)	20,000
<b>Total</b>	<b>54,336</b>

**Explanation of Local Revenues:**

**State Agencies Affected:** Election Commission, Election Division; SOS, BMV.

**Local Agencies Affected:** Counties (precinct election boards); CVROs.

**Information Sources:** U.S. Bureau of Labor Statistics, Indiana State Police: 2007 Annual Report; Linda Phillips, Tippecanoe County Clerk, 765-423-9326; U.S. Federal Emergency Management Agency.

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